

REMARKS

In the Office Action, claims 1-9 were rejected. By this Reply and Amendment, claims 1, 2 and 8 have been amended; non-elected claims 10-25 are currently canceled; and claims 1-9 remain pending in the application. No new matter has been added. All claim amendments are fully supported throughout the written description and the figures of the application.

In the Office Action, claim 8 was rejected under 35 USC 112, second paragraph, as being indefinite. Specifically, claim 8 was rejected for reciting that a subsequent well is drilled in response to the determination of the distribution characteristic. Accordingly, claim 8 has been amended to recite placing a subsequent well in response to the determination of "a specific type of distribution of the characteristic" and the rejection is believed to be overcome.

Claims 1-5 and 7 were rejected under 35 USC 102(e) as anticipated by the O'Meara Jr. reference, US Patent No.: 6,792,354. This rejection is respectfully traversed; however independent claim 1 has been amended to clarify the claim language.

The O'Meara Jr. reference discloses a method for determining quantity, distribution and speed of recovery with respect to hydrocarbons in subterranean reservoirs. (See column 1, lines 16-18). The method uses petrophysical data from a plurality of wells in the context of a three-dimensional geological model designed to identify dimensionless capillary pressure functions that can be used to determine characteristics of the reservoirs. (See column 5, lines 29-37). The dimensionless capillary pressure functions are comprised of contributions from a variety of characteristics, some of which can be determined based on known PVT behavior. (See column 9, lines 42-56). However, the actual well related data used by the model is imported from well logs, e.g. logs of porosity and water saturation. (See column 9, lines 3-9). Accordingly, the O'Meara Jr. reference teaches the use of logging to obtain data for its model, and the actual measurements are not obtained "without intervening".

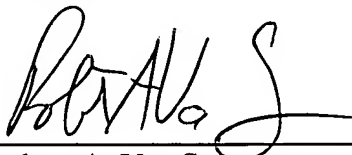
Therefore, the O'Meara Jr. reference fails to disclose or suggest elements of independent claim 1. By way of specific examples, the reference fails to disclose or suggest obtaining pressure measurements "along a wellbore during flowing of the well without intervening in the well" and then using this interventionless pressure data in a model to determine "a distribution of a characteristic in the vicinity of the well" as recited in amended, independent claim 1.

Claims 2-5 and 7 ultimately depend from independent claim 1 and recite additional elements. Accordingly, the rejection of claims 2-5 and 7 should be withdrawn for the reasons provided above with respect to independent claim 1 and for the additional subject matter recited in these dependent claims.

Claims 6, 8 and 9 were rejected under 35 USC 103(a) as unpatentable over the O'Meara Jr. reference. This rejection is respectfully traversed, and reconsideration of the rejection is requested. Claims 6, 8 and 9 ultimately depend from amended, independent claim 1 and recite additional elements. Accordingly, the rejection of claims 6, 8 and 9 should be withdrawn for the reasons provided above with respect to independent claim 1 and for the additional subject matter recited in these dependent claims. In the Office Action, it is stated that the subject matter of these dependent claims would have been obvious. However, Applicant strongly disagrees with this assertion and submits the subject matter of each of these dependent claims is unique in combination with the method of independent claim 1. Accordingly, Applicant requests withdrawal of the rejection under 35 USC 103(a).

In view of the foregoing remarks, all pending claims are believed to be in condition for allowance. However, if the Examiner believes certain amendments are necessary to clarify the present claims or if the Examiner wishes to resolve other issues by way of a telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Robert A. Van Someren', written over a horizontal line.

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